

MAR 22 2002

Michael N. Milby, Clerk

BC

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARK NEWBY, ET AL.,

Plaintiff,

v.

ENRON CORPORATION, INC.,

Defendant.

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CASE No. H-01-3624
and Consolidated Cases

STATEMENT OF COSTS
AND AFFIDAVIT OF EXPENSES
FOR JOSEPH L. TRAHAN AND
DISTRIBUTED NETWORK SERVICES CORPORATION

COMES NOW, Joseph L. Trahan and Distributed Network Services Corporation (collectively referred to as "DNS Corp."), and files this Affidavit itemizing costs and fees incurred, and would show:

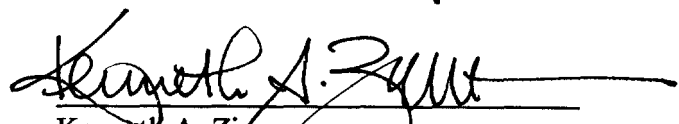
The total expense incurred by DNS Corp. is \$5,085. Fleming & Associates, L.L.P. has already paid \$3,800. The outstanding expense incurred by DNS Corp. is \$1,285. See Affidavit of Kenneth A. Zimmern, Exhibit A, attached and incorporated herein for all purposes.

DNS Corp. respectfully requests reimbursement of \$1,285 at this time.

WHEREFORE PREMISES CONSIDERED, Joseph L. Trahan and Distributed Network Services Corp. hereby requests reimbursement of \$1,285, and all other relief, both legal and equitable to which it may be entitled.

Respectfully submitted,

THOMPSON & ZIMMERN, L.L.P.,


Kenneth A. Zimmern
State Bar No.: 22276880

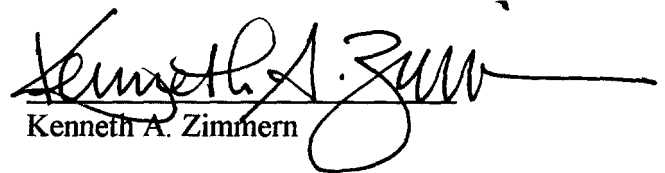
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1920 N. Memorial Way, Suite 205
Houston, Texas 77007
(713) 463-8085 (Telephone)
(713) 463-6674 (Facsimile)

ATTORNEY FOR JOSEPH L. TRAHAN AND
DISTRIBUTED NETWORK SERVICES
CORPORATION

Certificate of Service

The undersigned authority hereby certifies that a true and correct copy of the foregoing instrument has been served upon counsel of record pursuant to the Federal Rules of Civil Procedure, via certified mail, return receipt requested and/or hand-delivery on this the 22nd day of March 2002.


Kenneth A. Zimmer

Mr. Eric J.R. Nichols
BECK, REDDEN & SECREST, L.L.P.
1221 McKinney Street, Suite 4500
Houston, Texas 77010

Via Facsimile
(713) 951-3720

Mr. G. Sean Jez
Mr. George Bishop
1330 Post Oak Boulevard, suite 3030
Houston, Texas 77056-3019

Via Facsimile
(713) 621-9638

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

AFFIDAVIT

BEFORE ME, on this day did personally appear Kenneth A. Zimmern, who, being known to me through personal knowledge, and his driver's license, to be the person who did depose and state as follows:

1. My name is Kenneth A. Zimmern, I am over the age of eighteen (18) years; fully competent to make this affidavit; I am of sound mind, and personally acquainted with the facts herein stated, and they are true and correct.

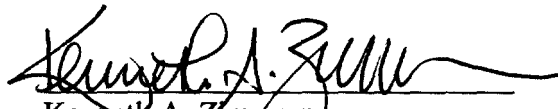
2. I am counsel for Joseph Trahan, President of Digital Networks Services, Corporation.

3. I am licensed to practice law in the state of Texas, and I am in good standing with the State Bar of Texas. I have been admitted to practice before the United States Supreme Court, the Fifth Circuit and the local federal district courts. I have been practicing law in Texas for eleven years. I have represented DNS Corp. since 1999.

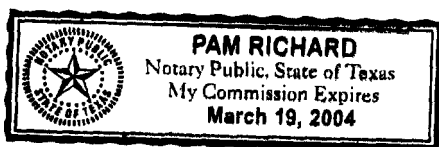
4. Mr. Trahan and DNS Corp. have incurred an expense of \$5,085 in order to respond to the discovery subpoena requiring production on March 11, 2002. This cost includes the cost of copying the digital tapes (\$3,800), the expenditure of billable time that was diverted from ongoing business projects (\$885), office expenses (\$25), and attorneys' fees to respond to the Subpoena and correspond with parties (\$375). Reproduction of digital tapes is an expensive, time-consuming process that requires special equipment.


5. Fleming & Associates, L.L.P. has already paid to \$3,800 to Mr. Trahan and DNS Corp. for its total expenses. Thus, the outstanding expense to Mr. Trahan and DNS Corp. is \$1,285.

FURTHER AFFIANT SAYETH NOT.


Kenneth A. Zimmern

SUBSCRIBED AND SWORN TO BEFORE ME, on this the 22nd day of March 2002, to certify which witness my hand and official seal of office.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

